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The CIA Case

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STATINTL

A slander suit was thrown out of Federal court here last week under unusual circumstances. The man bringing the suit, Eerik Heine, had been called a Soviet agent. The man who made that accusation, Juri Raus, said he could not testify as to the truth or falsity of it because he was employed by the Central Intelligence Agency, and the CIA wouldn't let him talk. The CIA said it provided the information for the accusation, but would not reveal what it was. This silence was said to be necessary to protect the agency's sources. The law, the CIA claimed and Judge Robert Thomsen agreed, allowed this silence.

So whether Heine is a spy, whether the accusation damaged him, whether there are grounds for the CIA to suspect him, even whether Raus is a CIA agent—all these things remain untested in court. It is a queasy business, whatever the law and whatever the facts.

No one really suspects the CIA would deliberately slander a man for political purposes, but it might. Suppose a President of the United States felt it was in the national interest to discredit a critic of some policy. A charge by an intelligence expert that the critic was a Communist would do that effectively, and the truth of the charge could never be tested. Neither could the motive or the true source be discovered. That's far-fetched. This isn't: suppose the CIA is simply mistaken. Like any bureaucracy, it can err. A reputation ruined by a clerical mistake is just as ruined as one ruined by black intrigue.

If the law must remain as it is, an extra responsibility falls on the congressional overseers of the CIA. They must protect individuals from what is now an agency that is above all law. Their investigation of cases like this one would be no real substitute for conventional judicial procedures, but it now appears that that is the only substitute available.